

MINUTES

Regular Meeting
City Hall Council Chamber

April 4, 2016
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David Causby, Dennis C. Bailey, Ben Kittrell, Dicky Amaya; City Manager Rick Howell, City Clerk Bernadette A. Parduski, NCCMC, MMC, City Attorney Robert W. (Bob) Yelton, Director of Human Resources Deborah C. (Deb) Jolly, Director of Energy Services Julie R. McMurry, Director of Water Resources David W. Hux, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, Assistant Fire Chief Todd McMurry, Director of Parks and Recreation Charlie Holtzclaw, and Director of Planning and Development Services Walter (Walt) Scharer, AICP; and Reporter Casey White of The Shelby Star

Absent: Council Member David W. White

Mayor Anthony called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. The Mayor gave the invocation and Mr. Hendrick led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve the agenda as presented.

B. Special Presentation:

- 1) Uptown Shelby Association (USA) update – Audrey Whetten, Executive Director

Referring to her handout, Miss Whetten reported her quarterly update included highlights of recent and ongoing projects and news, recent and upcoming events, and other news items.

With regard to a recent project, Miss Whetten stated she has been working with Shelby Police Department Crime Prevention Officer Matt Melvin on a new tool, Nextdoor. Nextdoor is a private network being released to USA stakeholders, including property owners, business owners, residents, organizations, and

employees, in an effort to open a direct line of communication with the Shelby Police Department to pass on safety issues and concerns.

Miss Whetten spoke about working closely with City staff and consultants, Arnett Muldrow and Associates, to update the City Center Master Plan, which is nearing completion. Also, in conjunction with the City Center Master Plan recommendations, Miss Whetten is in the process of developing and implementing a comprehensive marketing plan to focus on Uptown Shelby.

Miss Whetten mentioned work has begun with City staff and the consultants on the Court Square Infrastructure Improvement Project, which includes streetscapes along the Court Square and Lafayette Street.

Miss Whetten stated April begins the event season for USA. "Second Saturday" returns this year on April 9, 2016 with the opening of the Foothills Farmers Market at the City Pavilion along with several activities taking place at Uptown businesses and on the Court Square. Next, the Uptown Art Walk is set for April 21, 2016. This partnership with the Cleveland County Arts Council is in its third year and has been very successful. The event showcases local artists and generates traffic for Uptown businesses three times each year. Lastly, the Uptown Litter Sweep, a partnership with the Keep Shelby Beautiful Commission, is scheduled for April 23, 2016. This event is also in its third year and fosters community involvement with litter pick-up. Miss Whetten said these events are timed to reduce litter before major events in Uptown Shelby and in this case, before Arts on the Square and the European Car Show on April 30, 2016.

Miss Whetten attended the 2016 North Carolina Main Street Conference in Goldsboro, North Carolina and announced Shelby will host the 2017 North Carolina Main Street Conference sometime in March.

To conclude, Miss Whetten recognized Boy Scout Austin McInnis and Boy Scout Troop 100 who were selected by USA as their 2015 North Carolina Main Street Champions. She expressed her appreciation to the team for their work improving USA's alley between West Arey Street and the parking lot adjacent to the Cleveland County Chamber building.

Council received the information and took no action.

C. Public Hearing:

- 1) Consideration of a resolution approving the Hickory Creek Apartments Project owned by Hickory Creek Affordable LLC and the issuance of Public Finance Authority Multifamily Housing Revenue Bonds Series 2016: Resolution No. 14-2016

Mr. Yelton introduced Nancy Paschall of Mullen, Holland & Cooper as the attorney representing the project known as Hickory Creek Apartments and Resolution No. 14-2016 for Council's consideration. He explained the public hearing must be conducted by City Council as mandated by the Internal Revenue Service (IRS) on the issuance of tax-exempt bonds. He reiterated the bonds do not obligate the City in any manner.

Mayor Anthony opened the public hearing at 6:11 p.m. and invited comments from the public:

Nancy Paschall stated she is an attorney with Mullen, Holland & Cooper with offices located at 301 South York Street in Gastonia, North Carolina and represents Hickory Creek Affordable, LLC. Mrs. Paschall's client is in the process of acquiring and rehabilitating the Hickory Creek Apartments. With respect to the proposed plan of financing for the project, Mrs. Paschall's client intends to obtain public financing bonds through the State of Wisconsin, seeking to utilize up to \$2 million with respect to the Hickory Creek Apartments. She stated the Hickory Creek Apartments are an existing residential rental property targeted towards income-restricted seniors ages 55 and older and will remain affordable and targeted towards seniors. Mrs. Paschall further stated the City is not obligated, directly, indirectly, or contingently, by these bonds. She explained the Tax Equity and Fiscal Responsibility Act (TEFRA) hearing is mandated by the IRS to provide a reasonable opportunity for individuals to express their views on the issuance of tax-exempt bonds and the nature of the project for which the bond funds will be allocated.

Upon questioning, Mr. Howell further clarified the public hearing is required because these tax-exempt bonds are issued for a public purpose specifically affordable housing and because the affordable housing entity is located in the jurisdiction.

Mayor Anthony closed the public hearing at 6:15 p.m.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 14-2016 entitled, "A RESOLUTION APPROVING THE HICKORY CREEK APARTMENTS PROJECT OWNED BY HICKORY CREEK AFFORDABLE LLC AND THE ISSUANCE OF PUBLIC FINANCE AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS SERIES 2016".

D. Consent Agenda:

ACTION TAKEN: Mayor Anthony presented the consent agenda. Mr. Bailey made a motion to approve the consent agenda. The consent agenda and following items were unanimously approved:

- 1) Approval of the Minutes of the Special Meeting of February 26, 2016
- 2) Approval of the Minutes of the Regular Meeting of March 21, 2016
- 3) Approval of Special Event Permit Applications:
 - a. Let's Paint Cleveland County Purple/Paint the Town Purple, requested date: May 4, 2016
 - b. June Bug Jam 5K and Kids Fun Run, requested date: June 4, 2016
- 4) Approval of a resolution declaring April 10-16, 2016 as National Public Safety Telecommunicators Week and honoring the men and women who serve as Public Safety Telecommunicators in our community: Resolution No. 15-2016
- 5) Approval of a resolution approving the contract for the performance of the City of Shelby's annual audit and preparation of financial statements for the Fiscal Year ended June 30, 2016: Resolution No. 16-2016
- 6) Adoption of Fiscal Year (FY) 2015-2016 Budget Ordinance Amendment No. 18: Ordinance No. 16-2016
- 7) Adoption of Fiscal Year (FY) 2015-2016 Budget Ordinance Amendment No. 19: Ordinance No. 17-2016
- 8) Adoption of an ordinance establishing a capital project ordinance and budget for the City of Shelby's Airport Grant 36244.23.12.1 Runway Overlay Project: Ordinance No. 18-2016

END CONSENT AGENDA

E. Unfinished Business:

- 1) Consideration of a resolution approving updates to the 2008 Parks and Recreation Comprehensive Master Plan and authorizing submittal of an application for a North Carolina Parks and Recreation Trust Fund Grant: Resolution No. 17-2016

Mr. Howell introduced revised Resolution No. 17-2016 for Council's consideration. The resolution was amended to include Council's approval of an update to the site specific plan for the new Multipurpose Recreation Complex on McBrayer Springs Road as required by the Parks and Recreation Trust Fund (PARTF) grant application.

Mr. Howell stated the City recently held a public meeting to present details of the project and to allow the public to ask questions and interact with City staff, which is required when applying for this grant. He added the meeting was well attended and the City received positive feedback on the project, validating the needs from the 2008 study and Parks and Recreation Master Plan.

Next, Mr. Howell provided details about the North Carolina Parks and Recreation Trust Fund (PARTF) and grant program. The PARTF provides a dollar-for-dollar matching grant to local governments for parks and recreation projects to serve the public. The maximum grant award is \$500,000 and the City intends to request the maximum amount. The due date to apply for the grant is May 2, 2016. Mr. Howell further stated projects under the grant must show diverse elements such as sports fields, walking trails, playgrounds, and shelters/picnic areas. The proposed complex in Shelby consists of six fields, a playground, a restroom and concessions building, picnic facilities, paved and natural walking trails, and both paved and gravel parking lots.

Mr. Howell recommended approval of the resolution with authorization to submit the grant application as presented.

ACTION TAKEN: Upon a motion made by Mr. Bailey, City Council voted unanimously to approve and adopt Resolution No. 17-2016 entitled, "A RESOLUTION APPROVING UPDATES TO THE 2008 PARKS AND RECREATION COMPREHENSIVE MASTER PLAN AND AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A NORTH CAROLINA PARKS AND RECREATION TRUST FUND GRANT, as revised".

F. New Business: None

G. City Manager's Report:

- 1) As to the naming of the new trail (part of the Carolina Thread Trail network) with the trailhead located on West Grover Street, Mr. Howell mentioned he is in the process of narrowing down the suggested names submitted on the City's Facebook page for Council's consideration.

- 2) Mr. Howell announced the Court Square Infrastructure Improvement Project public open house drop-in is scheduled for April 19, 2016 between 5:30 p.m. and 7:30 p.m. at the Earl Scruggs Center.
- 3) In preparation for the Trailhead Grand Opening in May 2016, Mr. Howell announced a Trail Maintenance Day to clean the northern half of the new trail on April 16, 2016 beginning at 9:00 a.m. at the trailhead on West Grover Street.
- 4) Mr. Howell announced the Local Government Training Program sessions sponsored by the University of North Carolina's School of Government and Western Carolina University are scheduled for April 20, 2016 at 10:00 a.m. and 1:15 p.m. at the LeGrand Center.
- 5) Mr. Howell discussed the previously proposed budget workshop dates and Council's availability and attendance. The following dates were tentatively scheduled:
 - April 25 and 26, 2016, 4:00 p.m. to 6:00 p.m. – Utility Funds
 - May 3, 2016, 4:00 p.m. to 6:00 p.m. – General Fund

H. Council Announcements and Remarks:

- 1) Mr. Causby reported seeing litter signs in Asheville, North Carolina which read: "\$2,500 fine/30 days in jail". He said the signs have proven to be a deterrent and have virtually eliminated Asheville's litter problem. It was pointed out the maximum civil penalty allowed by the General Statutes is \$500 unless a local bill to increase those penalties was sponsored. Discussion regarding the City-wide litter and trash problem followed and included the effectiveness of signs (cost, strategic locations), implementing an improved Adopt-a-Street Program, and additional trash cans (strategic locations). Mr. Howell will give the matter consideration and staff will investigate further.
- 2) Mr. Kittrell reminded Mayor and Council to attend the Cleveland County Chamber's Legislative Breakfast on April 11, 2016 at 7:30 a.m. at the LeGrand Center.

Mr. Kittrell also reminded Mayor and Council the Rogers Energy Complex, (formerly known as the Cliffside Steam Station) tour at the invitation of Duke Energy is scheduled for April 5, 2016 at 1:30 p.m. in Mooresboro, North Carolina.

I. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Kittrell, City Council voted unanimously to adjourn the meeting at 6:31 p.m.

Respectfully submitted,

**Bernadette A. Parduski, NCCMC, MMC
City Clerk**

**O. Stanhope Anthony III
Mayor**

Minutes of April 4, 2016